

REMARKS

Claims 3-5 and 9-17 are presented for reconsideration and further examination in view of the following remarks.

In the outstanding Office Action, the Examiner rejected claims 1 and 6-8 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,104,829 to Nakajima (hereinafter referred to as “Nakajima”) and rejected claim 2 under 35 U.S.C. §103(a) as being unpatentable over Nakajima in view of U.S. Patent No. 5,687,300 to Cooper (hereinafter referred to as “Cooper”).

Claims 12-17 depend, directly from claims 3-5 and 9-11, respectively. Claims 3-5 and 9-11 have been amended for the sole reason of advancing prosecution. Claims 1, 2 and 6-8 have been canceled without prejudice or disclaimer to the contents therein, for the sole reason of advancing prosecution. Applicants, by amending or canceling any claims herein, make no admission as to the validity of any rejection made by the Examiner against any of these claims. Applicants reserve the right to reassert the original claim scope of any claim, amended or canceled, herein in a continuing application.

Applicants thank the Examiner for the indication that claims 3-5 and 9-11 contain “Allowable Subject Matter” and that “[c]laims 3-5 and 9-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.” Accordingly, claims 3-5 and 9-11 have been rewritten in independent form including all of the limitations of the base claims 1 and 8, respectively. Newly presented claims 12-17 rewrite the subject matter of original claim 2 in

dependent form; these claims are dependent on independent claims 3-5 and 9-11 containing Examiner indicated allowable subject matter, respectively.

Support for the claims as amended, appears throughout the specification and claims as originally filed. For example, amended claims 3-5 and 9-11 are supported at least by the original claims (1, 3-5 and 8-11). Newly presented claims 12-17 presents the subject matter originally claimed in claim 2. All newly presented claims are fully supported by the original claims and specification as filed. It is respectfully submitted that the above amendments do not introduce any new matter within the meaning of 35 U.S.C. § 132.

Claim Rejections under 35 U.S.C. § 103(a)

The Examiner rejected claims 1 and 6-8 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,104,829 to Nakajima and rejected claim 2 under 35 U.S.C. §103(a) as being unpatentable over Nakajima in view of Cooper.

Response

By this Response and Amendment, claims 1, 2 and 6-8 have been canceled without prejudice or disclaimer to the contents therein. By doing so, Applicants make no comment as to the propriety of the Examiner's rejection or the content of the cited reference. Accordingly, the rejections thereto are moot.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

Allowable Subject Matter

The Examiner stated that claims 3-5 and 9-11 contain “Allowable Subject Matter” and that “[c]laims 3-5 and 9-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.”

Response

Applicants thank the Examiner for careful consideration of the claims and indication of claims 3-5 and 9-11 as containing allowable subject matter. Accordingly, Applicants have amended claim 3-5 and 9-11 to rewrite the claims in independent form including all of the limitations of the base claims 1 and 8, respectively, as discussed above. Accordingly, Applicants respectfully submit that claims 3-5 and 9-11 (and also newly presented claims 12-17, dependent therefrom) are allowable. Applicants respectfully request reconsideration of the objections thereto and timely issuance of a Notice of Allowance indicating the same.

Newly presented claims 12-17

Applicants newly present claims 12-17, which rewrite the subject matter of original claim 2 in dependent form. By doing so, Applicants make no comment as to the propriety of the Examiner’s rejection or the content of the cited reference. Claims 12-17 are dependent on independent claims 3-5 and 9-11 containing Examiner indicated allowable subject matter,

CONCLUSION

Applicants believe that a full and complete response has been made to the pending Office Action and respectfully submits that all of the stated grounds for rejection have been overcome or rendered moot. Accordingly, Applicants respectfully submit that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

THE NATH LAW GROUP

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THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314-2891
Tel: 703-548-6284
Fax: 703-683-8396



Jerald L. Meyer
Registration No. 41,194
Derek Richmond
Registration No. 45,771
Jiaxiao Zhang
Registration No. 63,235
Customer No. 20529

respectively. Applicants respectfully submit that claims 12-17 are novel and patentable over the cited prior art, at least due to their respective dependency from novel and patentable claims 3-5 and 9-11 which have been indicated by the Examiner as containing Allowable Subject Matter, and have since been written in patentable independent form.

Accordingly, Applicants respectfully request timely issuance of a Notice of Allowance indicating the same.